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Michael J. Lampe
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VIA EMAIL

December 7, 2018

Roxanne Yoder
Chief Deputy City Clerk
City of Tulare
411 East Kern Avenue
Tulare, California 93274
email: ryoder@tulare.ca.gov

Re: Public Records Act request - Tulare Police Department

Dear Ms. Yoder:

Please consider this correspondence as a request under the California Public Records Act (Government Code section 6250 *et seq.*).

On November 9, 2018, Josh McDonnell, the City of Tulare Community and Economic Development Director, testified under oath regarding efforts by Tulare City Councilman Greg Nunley to have multiple City employees fired who work on his projects. Mr. McDonnell further testified that the City has retained the services of Attorney Daniel Rowley to conduct an investigation into allegations of workplace misconduct engaged in by Councilman Nunley.

A copy of pages 62 and 63 of Mr. McDonnell's deposition testimony is attached hereto as Exhibit 1.

RECORDS REQUESTED

1. Any written contracts or fee arrangements entered into between the City of Tulare and Attorney Daniel Rowley (or any other person) that establish compensation for the investigation referenced in Mr. McDonnell's testimony.

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2. Any billing statements (properly redacted), from any source, that will inform the general public of City funds expended to date on the above-referenced investigation.

If you have any questions regarding the contents of this request, please feel free to contact my office.

Yours very truly,

MICHAEL J. LAMPE
MJL/ml
cc: client

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF TULARE

DAVID W. FROST,
Plaintiff,
v.
JAMES GREG NUNLEY aka GREG NUNLEY,
an individual; DRIVEN CONSTRUCTION,
INC., a California corporation;
GREAT VALLEY BUILDERS, INC., a
California corporation; HIDDEN OAK
DEVELOPMENT COMPANY, INC., a
California corporation; DEL LAGO
PLACE, LLC, a California limited
liability company; CITY OF TULARE,
a municipal corporation, and DOES
1 through 50, inclusive,
Respondent.

Visalia, California
November 9, 2018

DEPOSITION
OF
JOSHUA JAMES McDONNELL

Exhibit 1

TAMARA L. MENDOZA SUMPTER,
C.S.R. 9993

1 Q. Okay.

2 A. John Karlie, Mike Bruening, Tyler Dodson, and
3 Steve Hammond.

4 Q. Do you know when that meeting occurred?

5 A. Early October. I can't give a specific date.

6 Q. Has the City of Tulare commenced an
7 investigation into the allegations made against
8 Councilman Nunley for his harassment of employees?

9 MR. HERR: May I have that question read back,
10 please?

11 (The reporter read back: Q. Has the City of
12 Tulare commenced an investigation into the allegations
13 made against Councilman Nunley for his harassment of
14 employees?)

15 THE WITNESS: Mr. Lampe, that was kind of a long
16 question. Can you please ask me that again?

17 MR. LAMPE: Sure.

18 BY MR. LAMPE:

19 Q. To your knowledge, has the City hired an
20 independent investigator to look into the allegations of
21 workplace misconduct against Mr. Nunley?

22 MR. HERR: And, Mr. Lampe, I don't want to be a
23 lawyer about it, but I think the problem with your
24 question is that you're assuming this witness might know
25 why the City is conducting an investigation as opposed to

1 whether he's aware of an investigation.

2 BY MR. LAMPE:

3 Q. I don't know if that helps you or not, but you
4 can answer my question with his --

5 MR. HERR: In other words, I don't know if
6 someone told you why they were investigating as opposed
7 to your just being interviewed as part of an
8 investigation.

9 THE WITNESS: I am aware that there is an
10 investigation.

11 BY MR. LAMPE:

12 Q. And are you aware that that investigation is
13 into allegations of workplace misconduct by Councilman
14 Nunley?

15 A. Yes, I am.

16 Q. Has the City retained the services of Dan Rowley
17 with the law firm of Fike & Boranian in Fresno to conduct
18 that investigation?

19 A. Yes, it has.

20 Q. Have you been interviewed by Mr. Rowley in
21 connection with that investigation?

22 A. Yes, I have.

23 Q. When were you interviewed?

24 MR. GILL: I'm going to object to these series
25 of questions. I think that's a privileged investigation